



CITY OF MEMPHIS

COUNCIL AGENDA

December 18, 2007

Public Session Tuesday, 3:30 p.m.

Council Chambers, First Floor, City Hall

125 North Main Street

Memphis, Tennessee 38103-2017

CALL TO ORDER by the Sergeant-at-Arms

INVOCATION

PLEDGE OF ALLEGIANCE

CALL OF ROLL by the Comptroller

APPROVAL OF PREVIOUS MEETING MINUTES (December 4, 2007)

ANNOUNCEMENT FOR APPEARANCE CARDS FOR PUBLIC SPEAKING

ITEMS HELD OR DROPPED FROM THE AGENDA

CONSENT AGENDA

GENERAL ORDINANCE - FIRST READING (None)

GENERAL ORDINANCES - SECOND READING

1. **ORDINANCE** amending Chapter 36, Article I, Section 36-11 of the Code of Ordinances so as to establish a Senior Property Tax Freeze, up for S E C O N D reading.
Chumney Ordinance No. 5251

ACTION REQUESTED: Adopt the ordinance of Second reading

2. **ORDINANCE** amending Chapter 21, Article VI, Section 237 of the Code of Ordinances to prohibit Minors Soliciting from Right of Ways, up for S E C O N D reading.
Brittenum Ordinance No. 5248

ACTION REQUESTED: Adopt the ordinance on Second reading

ZONING ORDINANCE - FIRST READING (None)

ZONING ORDINANCE - SECOND READING (None)

ENGINEERING (None)

NOTATION FROM OPD

NOTATION from Land Use Control Board that the following case was heard and recommendation made requesting a date of public hearing:

3. A. Case No. PD 07-324

Located on the northwest corner of James Road and Warford Road, containing .94 acre in the Single-Family Residential (R-S10) District

Applicant: Edward Lindsey
Frank Palumbo – Representative

Request: A two-lot commercial planned development

ACTION REQUESTED: Set a date of public hearing

SUGGESTED DATE: January 8, 2008

GENERAL ITEM

4. RESOLUTION approving an honorary street name change on Park Avenue, between Getwell Road and Echles Street, as “Sam Bomarito Boulevard.”

Sammons

ACTION REQUESTED: Adopt the resolution

5. RESOLUTION approving an honorary street name change on Wesley Drive between Elvis Presley Blvd. and Faronia Road, for Dr. Harold Leon Taylor.

Cooper Taylor

ACTION REQUESTED: Adopt the resolution



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MLGW FISCAL CONSENT

6. RESOLUTION approving Change No. 4 to Contract No. 10681, Peak Period Call Management System, with Twenty First Century Communications, Inc. in an estimated funded amount of \$504,000.00. (This renews the contract for the fourth term, February 1, 2008 to January 31, 2010.)
7. RESOLUTION approving Change No. 4 to Contract No. 10976, Line Clearance, with Bean and Prince Contractors, Inc. in an estimated funded amount of \$1,564,170.06. (This renews the contract for the third term, December 24, 2007 through December 23, 2008.)
8. RESOLUTION awarding 60-month contract for rental of shipping and receiving solution to Pitney Bowes, Inc. in the amount of \$103,620.00.
9. RESOLUTION amending Purchase Order No. 124877 with Vertex Chemical Corporation for furnishing sodium hypochlorite in the amount of \$158,316.13. (On March 17, 2005, the MLGW Board awarded 36-month contract to Vertex Chemical Corporation in the amount of \$855,195.00. This amendment increases the contract in the amount of \$158,316.13, for a total amount of \$1,013,511.13.)
10. RESOLUTION awarding 24-month contract for electric meters, as follows:

WESCO Distribution, Inc.....	\$880,789.40
Landis & Gyr.....	<u>128,040.00</u>
Total.....	\$1,008,829.40
11. RESOLUTION approving payment to the Memphis Regional Chamber in the amount of \$175,000.00, to support the Chamber and the public and private partnership to help Memphis become a world-class community, premier city, global player and attract more businesses and jobs.
12. RESOLUTION approving the termination of W. P. Stewart & Company, Inc., and the selection of Legg Mason Capital Management and Thornburg Investment Management for benefit of the MLGW Retirement and Pension Fund.



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REGULAR AGENDA

13. RESOLUTION honoring the recipient of the City Council's 2007 Humanitarian Award.

Marshall

ACTION REQUESTED: Adopt the resolution

14. **APPOINTMENTS**

Taylor

Memphis City Beautiful Commission

Appointment

Jennifer Littlejohn

Memphis and Shelby County Film Commission

Appointments

Tonya D. Butler

Gale Carson

Ike Griffith

Reappointment

Ken Nelson

Memphis and Shelby County Center City Commission

Appointment

Stuart C. McGehee

GENERAL ORDINANCES – THIRD AND FINAL READING

15. **ORDINANCE** amending Chapter 21 of the Code of Ordinances so as to establish a standard for use of Biodiesel Fuels, up for T H I R D and F I N A L reading. **(Pulled from 11/06/07 Minutes)**(Held from 12/4)

Brittenum

Ordinance No. 5224

ACTION REQUESTED: Take whatever action Council deems advisable

16. **ORDINANCE** to establish Meeting Dates for City Council Meetings in 2008, up for T H I R D and F I N A L reading. (Held from 12/04)

Marshall

Ordinance No. 5243

ACTION REQUESTED: Take whatever action Council deems advisable

17. **ORDINANCE** to amend Chapter 2, Article VI of the Code of Ordinances, so as to establish the City of Memphis International Council, up for T H I R D and F I N A L reading.

Brittenum

Ordinance No. 5245

ACTION REQUESTED: Take whatever action Council deems advisable

18. **ORDINANCE** amending Chapter 2, Article IV of the Code of Ordinances so as to establish the City of Memphis Youth City Council, up for T H I R D and F I N A L reading.

Brittenum

Ordinance No. 5249

ACTION REQUESTED: Take whatever action Council deems advisable

ENGINEERING DIVISION (None)

EXECUTIVE DIVISION (None)

FINANCE & ADMINISTRATION (None)

DIVISION OF FIRE SERVICES

19. RESOLUTION approving CIP Project Number FS02010, as part of the FY2008 Capital Improvement Program and requesting the continuation of the plans and specifications and taking bids at an estimated cost of \$2,800,000.00, funded by G.O. Bonds General, for Fire Station 22.

Sammons

ACTION REQUESTED: Adopt the resolution

20. RESOLUTION approving CIP Project Number FS02014, as part of the FY2008 Capital Improvement Program and requesting the continuation of plans and specifications and taking bids at an estimated cost of \$2,800,000.00 funded by G.O. Bonds General, for Station 57.

Fire

Sammons

ACTION REQUESTED: Adopt the resolution

DIVISION OF GENERAL SERVICES (None)

DIVISION OF HOUSING AND COMMUNITY DEVELOPMENT (None)

DIVISION OF HUMAN RESOURCES (None)

LAW DIVISION (None)

MLGW DIVISION (None)

PARK SERVICES

DIVISION OF POLICE SERVICES (None)

DIVISION OF PUBLIC SERVICES

21. RESOLUTION approving the completion of plans and specifications and taking of bids for the Animal Shelter Replacement, CIP Project Number PS01010, as part of the FY 08 Capital Improvement Program at an estimated construction cost of \$11,100,000.00 funded by G.O. Bonds General.

Brown

ACTION REQUESTED: Adopt the resolution

DIVISION OF PUBLIC WORKS

22. RESOLUTION appropriating \$34,367.00 funded by GO Bonds – General to be deposited in the Local Government Investment Pool account for Street Lighting, project number PW01093.

Sammons

Director of Public Works and City Engineer recommend approval

ACTION REQUESTED: Adopt the resolution

23. RESOLUTION amending the FY 2008 Capital Improvement Budget by transferring an allocation and appropriating \$600,000.00 funded by G.O. Bonds-General from Street Lighting, project number PW01093 to X-Way Lighting Replacement 08, project number PW01189, to reimburse Memphis, Light, Gas and Water for cost incurred in connection with servicing, replacing, and removing expressway street light poles.

Sammons

ACTION REQUESTED: Adopt the resolution

24. RESOLUTION amending the FY 2008 Capital Improvement Budget by transferring an allocation and appropriating \$2,290,637.00 funded by Sewer Funds from Rehab Existing Sewers, project number SW02001 to Sewer Line Replacement FY2008, project number SW02074, for a construction contract with Acuff Enterprises, Inc. DBA Scott Contractors, Inc.

Sammons

ACTION REQUESTED: Adopt the resolution

ZONING ORDINANCE – THIRD AND FINAL READING

25. **ORDINANCE** approving a street name change beginning at the south side of Goodlett Farms Parkway, extending eastwardly to the terminus of the request street name containing 1,431 feet in the Single Family Residential (R-S6) District, up for T H I R D and F I N A L reading.

Lowery

Ordinance No. 5246
Case No. SNC 07-802cc

Applicant: Harrah's Operating Company – Memphis
The Reaves Firm – Representative

Request: Street name change request from Seven Star Way to Cherry Farms Road

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

2 NOTICES WERE MAILED ON DECEMBER 7, 2007

DIVISION OF PLANNING & DEVELOPMENT

26. RESOLUTION approving a moratorium on issuance of building permits and on acceptance of any type of zoning or subdivision applications until April 30, 2008 or until an updated plan is adopted for Uptown Memphis.(Held from 12/4)

Lowery

ACTION REQUESTED: Adopt the resolution

27. RESOLUTION approving a special use permit located on the southwest corner of Hernando Road and Elvis Presley Boulevard containing 7.87 acres in the Highway Commercial (C-H) District.

Lowery Case No. SUP 05-203

Applicant: Southern Real Estate Holdings, LLC and Lynley Churchwell

Request: Rescind existing special use permit approval to operate a used heavy equipment sales and storage business at 3403 Elvis Presley Boulevard

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

No Public Hearing Required; No Opposition at LUCB

28. RESOLUTION approving a special use permit located on the southwest corner of Trinity Road and North Germantown Parkway, containing 0.86 acre (37,462 sq. ft.) in the Light Industrial (I-L) District.

Lowery Case No. SUP 07-222

Applicants: Cajun’s Crawdad’s Inc.
Brett Schubert-Apperson, Crump & Maxwell, PLC-Representative

Request: Special use permit to allow outdoor vending in a kiosk facility

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

No Public Hearing Required; No Opposition at LUCB

29. RESOLUTION approving a use variance located on the east side of South Perkins Road; +/-139.42 feet south of Cottonwood Road, containing 0.24 acre (10,454 sq. ft.) in the Single Family Residential (R-S6) District.

Lowery Case No. UV 07-12
(Formerly Z 07-115)

Applicants: Hermon C. & Bonnie J. Jones
James Kincaide – Representative

Request: Use variation to allow a single office in a residential structure

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

No Public Hearing Required; No Opposition at LUCB

PUBLIC HEARINGS

30. RESOLUTION approving a subdivision appeal located on the northside of Grove Park Circle; beginning 370 feet west of Grove Park, containing 1.01 acres in the Single Family Residential (R-S10) District. (Held from 1/17; 3/21; 4/11; 10/3; 1/16/07; 06/19)

Lowery Case No. S 05-032

Appellant: David M. Dunlap

Request: Appeal to overturn the action of the Land Use Control Board approving the 2 Lot Preliminary Plat for the Resubdivision of Lot 127, Laurelwood Subdivision

LUCB and OPD recommendation: APPROVAL, with three (3) conditions and one (1) design modification

ACTION REQUESTED: Take whatever action Council deems advisable

21 NOTICES MAILED ON JANUARY 6, 2006

31. RESOLUTION approving a planned development located on the southeast corner of Butler Avenue and Tennessee Street, containing 1.654 acres in the South Main (SM) District. (Held from 9/18).

Lowery

Case No. PD 07-319

Applicant: Butler Park Station, LLC
Tetra Tech – Representative

Request: A mixed use planned development to create 30 townhouse units and approximately 19,790 square feet of office/retail space in two phases of development

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

32. RESOLUTION approving a planned development located on the east side of North Germantown Parkway; +/-314.40 feet south of Timber Creek Drive, containing 4.0 acres in the General Office (O-G) District.(Held from 12/4)

Lowery

Case No. PD 07-336

Applicant: B & H Hospitality, LLC
Ronald Harkavy (Harkavy-Shainberg) – Representative

Request: Planned development to allow a three (3) story hotel building and a restaurant building within the Outline Plan

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

66 NOTICES MAILED ON DECEMBER 7, 2007

33. RESOLUTION approving a planned development located on the south side of U.S. Highway 64; +2,292 feet west of Collierville- Arlington Road, containing 2.59 acres in the Agricultural (AG) District.

Lowery

Case No. PD 07-328

Applicant: Billy May
McCaskill & Associates, Tim McCaskill – Representative

Request: A mixed use planned development consisting of commercial/retail, office and residential uses

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

15 NOTICES MAILED ON DECEMBER 7, 2007

34. RESOLUTION approving a planned development located on the northeast corner of Raleigh LaGrange Road and Summer Avenue, containing 3.26 acres in the Single Residential (R-S8) District.

Family
Lowery

Case No. PD 07-333

Applicant: Double A Oil Company
Prime Development Group, Inc. Michael Fahy – Representative

Request: Planned development to allow commercial uses as regulated by
the
Planned Commercial (C-P) District

LUCB and OPD recommendation: APPROVAL, with conditions

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ACTION REQUESTED: Take whatever action Council deems advisable

19 NOTICES MAILED ON DECEMBER 7, 2007

35. RESOLUTION approving a planned development located on the east side of North Germantown Parkway; +/-744 feet north of Club Parkway, containing 7.5 acres and is currently governed by Avanti Planned Development, Amended (P.D. 04-309).

Lowery

Case No. PD 07-335

Applicant: Geronimo, LLC
SR Consulting, LLC – Representative

Request: Planned development amendment to create Parcel ‘D’ to allow
Planned Commercial (C-P) District land uses within the
Outline Plan

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

83 NOTICES WERE MAILED ON DECEMBER 7, 2007

36. RESOLUTION approving a planned development located on the north side of Poplar Avenue; between Ayers Street and Decatur Street, containing 38.26 acres in the Multiple Dwelling Residential (R-MM) District.

Lowery

Case No. PD 07-338

Applicant: Memphis Housing Authority
Tom Currell – Representative

Request: Mixed Use planned development consisting of residential &
commercial uses

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

108 NOTICES MAILED ON DECEMBER 7, 2007

37. RESOLUTION approving a planned development located on the south side of Bonnie Lane; +/-208 feet east of North Germantown Parkway, containing 1.16 acres and is currently governed by Avanti-North Planned Development, 7th Amendment (P.D. 06-302).

Lowery

Case No. PD 07-339

Applicant: John Mahoney
McCaskill Consultants – Representative

Request: Planned development amendment to consolidate a part of Phase
23: Area ‘A-3’ surplus property to be included in Phase 22: Area
‘A-3’ to allow construction of an accessory storage building

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

49 NOTICES MAILED ON DECEMBER 7, 2007

38. RESOLUTION approving a special use permit located on the northeast corner of Manassas Street and Gene Logan Drive, containing 2.35 acres in the Light Industrial (I-L) District.

Lowery

Case No. SUP 07-214

Applicant: Tower Ventures V, LLC
Billy Orgel – Representative

Request: Cellular Tower (160’ monopole, slick stick with flush mounted

antennas)

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

57 NOTICES MAILED ON DECEMBER 7, 2007

39. RESOLUTION approving an appeal located on the north side of Raleigh-LaGrange Road; \pm 461 feet west of Wiseman, containing 23.12 acres in the Single family dwellings ~ Agricultural (AG) District.

Lowery

Case No. S 07-018cc

Applicant: Langsdon Development, LLC
ETI Corporation – Representative

Request: 11 Lot Preliminary Plat

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

10 NOTICES MAILED ON DECEMBER 7, 2007

40. RESOLUTION approving a use variance located on the northwest corner of Midland Avenue and Boston Street intersection, containing 5,000 sq. ft. (0.114 acres) in the Residential Duplex (R-D) District.

Lowery

Case No. UV 07-10

Applicant: Jacob's Ladder Community Development Corporation

Request: Use variation for an after-school enrichment program

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

117 NOTICES MAILED ON DECEMBER 7, 2007

41. RESOLUTION approving a street/alley closure located \pm 42 feet north of Southern Avenue, containing 1,219 square feet in the Single Family Residential (R-S6) District.

Lowery

Case No. SAC 07-614

Applicant: Midland Goodwyn Neighborhood Association
Buckner Wellford - Representative

Request: Close and Vacate Alley Street Right-of-Way

LUCB and OPD recommendation: REJECTION

ACTION REQUESTED: Take whatever action Council deems advisable

19 NOTICES MAILED ON DECEMBER 7, 2007

42. RESOLUTION approving a street name change located between Monroe Avenue and Union Avenue, containing 6,260 square feet in the Central Business (CBD) District.

Lowery

Case No. SNC 07-803

Applicant: Nick Vergos

Request: Street name change request from Maggie H. Isabel Street to Charlie Vergos' Rendezvous Alley

LUCB and OPD recommendation: APPROVAL, with conditions

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6 NOTICES WERE MAILED ON DECEMBER 7, 2007

PRESENTATIONS AND RECOGNITION OF VISITORS

43. RESOLUTION thanking Dedrick Brittenum for his service to the City of Memphis.
Marshall

ACTION REQUESTED: Adopt the resolution

44. RESOLUTION thanking Carol Chumney for her service to the City of Memphis.
Marshall

ACTION REQUESTED: Adopt the resolution

45. RESOLUTION thanking Madeleine Cooper Taylor for her service to the City of Memphis.
Marshall

ACTION REQUESTED: Adopt the resolution

46. RESOLUTION thanking Edmund H. Ford for his service to the City of Memphis.
Marshall

ACTION REQUESTED: Adopt the resolution

47. RESOLUTION thanking Henry Hooper for his service to the City of Memphis.
Marshall

ACTION REQUESTED: Adopt the resolution

48. RESOLUTION thanking E.C. Jones for his service to the City of Memphis.
Marshall

ACTION REQUESTED: Adopt the resolution

49. RESOLUTION thanking Tom Marshall for his service to the City of Memphis.
Sammons

ACTION REQUESTED: Adopt the resolution

50. RESOLUTION thanking Jack Sammons for his service to the City of Memphis.
Marshall

ACTION REQUESTED: Adopt the resolution

51. RESOLUTION thanking Brent Taylor for his service to the City of Memphis.
Marshall

ACTION REQUESTED: Adopt the resolution

52. RESOLUTION approving an honorary street name change on N. Avalon Street at Poplar Ave. in honor of Frances Utterback Crain.
Chumney

ACTION REQUESTED: Adopt the resolution

53. RESOLUTION approving an honorary street name change on Hester Road, between Davis Cove and Elvis Presley Blvd., for William H. Ward.
Hooper

ACTION REQUESTED: Adopt the resolution

54. RESOLUTION recognizing Sergeant Chris Jones of the Shelby County Metro D.U.I. Squad.
Jones

ACTION REQUESTED: Adopt the resolution

55. RESOLUTION appropriating construction funds for Beale Street Landing Phase II.
Marshall

ACTION REQUESTED: Adopt the resolution

APPEARANCE CARDS FOR PUBLIC SPEAKING

ADJOURNMENT

ADD-ONS

56. RESOLUTION commemorating the life of Dr. Edward H. Mattingly.

Consent

ACTION REQUESTED: Adopt the resolution

57. RESOLUTION approving final plat of BRANTFORD ROAD SUBDIVISION.

Consent

Case No. S 07-007

Resolution approves the final plat located at the southwest corner of Brantford Road and Yates Road. Cost of the required improvements to be borne by the Developer.

City Engineer recommends approval

ACTION REQUESTED: Adopt the resolution

58. RESOLUTION approving final plat of HOLMES/TCHULAHOMA PLANNED DEVELOPMENT, PHASE 5.

Consent

Case No. PD 98-301

Resolution approves the final plat located at the southeast corner of Tchulahoma and Holmes Road. Cost of the required improvements to be borne by the Developer.

City Engineer recommends approval

ACTION REQUESTED: Adopt the resolution

59. RESOLUTION approving final plat of MEMPHIS VOLUNTEERS OF AMERICA ELDERLY HOUSING.

Consent

Case No. SUP 06-210

Resolution approves the final plat located at the corner of Austin Peay Highway and Lake Hurst Drive. Cost of the required improvements to be borne by the Developer.

City Engineer recommends approval

ACTION REQUESTED: Adopt the resolution

60. RESOLUTION approving an honorary street name change for Dr. Wesley C. Holmes, on Douglass Avenue, with signs located at the corner of Douglass Avenue and Pendleton Street, Douglass Avenue and Grand Street and Douglass Avenue and Airways Blvd.

Brown

ACTION REQUESTED: Adopt the resolution

61. RESOLUTION congratulating Mr. and Mrs. Allan Wade on the birth of their daughter, Alana Wade.

Sammons

ACTION REQUESTED: Adopt the resolution

62. RESOLUTION approving temporary structures on the streets on December 28, 2007 from 2:30 p.m. until 6:00 p.m., for the Auto Zone Liberty Bowl Parade.

Consent

ACTION REQUESTED: Adopt the resolution

ADD-ONS

63. RESOLUTION supporting the creation of a Fairgrounds Tourist Development Zone.

Brittenum

ACTION REQUESTED: Adopt the resolution

64. JOINT RESOLUTION of the Memphis City Council and Board of County Commissioners authorizing the Memphis and Shelby County Community Redevelopment Agency to issue Tax Increment Bonds of the Agency not to exceed \$12,500,000.00 and amend the UNDC/ Highland Row Community Redevelopment Plan.

Brittenum

ACTION REQUESTED: Adopt the resolution

65. RESOLUTION appropriating an additional \$10,000.00 to complete the audit requested by the Memphis City Council of the sale of Memphis Networx.

Chumney

ACTION REQUESTED: Adopt the resolution

66. RESOLUTION filing a petition for the Memphis City Council to intervene in the investigation of Memphis Networx currently before the TN Regulatory Authority.

Chumney

ACTION REQUESTED: Adopt the resolution

67. RESOLUTION urging the 2008 Memphis City Council to continue the effort to get a street light installed at the intersection of Third Street and Holmes Road.

Sammons

ACTION REQUESTED: Adopt the resolution

68. RESOLUTION urging the TN Regulatory Attorney General and Commissioner of Commerce and Insurance to investigate Memphis Networx.

Chumney

ACTION REQUESTED: Adopt the resolution

69. RESOLUTION approving final plat of RUBY OAKS SUBDIVISION.

Consent

Case No. S 07-041

Resolution approves the final plat located on the southeast corner of Hernando Road and Alcy Road. Cost of the required improvements to be borne by the Developer.

City Engineer recommends approval

ACTION REQUESTED: Adopt the resolution

ACTION TAKEN BY COUNCIL ON THIS DATE

- 1. and 2 – Approved
- 3. Public Hearing set for January 8, 2008
- 4. Through 14 – Approved
- 15. Withdrawn
- 16. Approved
- 17. Approved, as amended
- 18. Through 25 – Approved
- 26. Approved, as amended

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ADD-ONS

- 27. Approved
- 28. and 29 - Approved, as amended
- 30. Held to June 17, 2008
- 31. Withdrawn
- 32. Approved, as amended
- 33. Approved
- 34. Approved, as amended
- 35. Through 37 – Approved
- 38. Approved, as amended
- 39. Withdrawn

- 40. Approved
- 41. Withdrawn
- 42. Approved, as amended
- 43. Through 62 – Approved
- 63. Approved, as amended
- 64. Through 69 – Approved

ACTION TAKEN ON THE MINUTES OF DECEMBER 4, 2007

MOTION: Holt – Item #2 –Change the word to, to say until
SECOND: Brown

MOTION: Taylor – Suspend the Rules for the purpose of substituting a new Ordinance.
which reflects the changes made in today’s committee. Ordinance #5232
SECOND: McCormick

APPROVED, by unanimous voice vote, rules suspended

MOTION: Taylor – Move to substitute Ordinance #5232 for the revised language which
essentially says that the petition for a recall is to be signed by a number of
qualified voters equal to ten per centum of the total number of votes cast in
the last municipal general election, which excludes run-offs and also allows
future council to go to the legislature and allow for us to hopefully
confine the election to those who actually elected that person

APPROVED, by unanimous voice vote

MAIN MOTION: Ware
SECOND: Brown
AYES: Brittenum, Brown, Chumney, Cooper Taylor, Ford, Hooper, Jones, Lowery,
McCormick, Sammons, Ware, Taylor and Chairman Marshall

APPROVED, as amended

MOTION: Chumney - Suspend the Rules for the purpose of approving the Minutes for
Items 65, 66 and 68 tonight
SECOND: Brown

The Chairman stated that all those in favor signify by saying I, those oppose say No. The
Chairman stated that it is the opinion of the Chair that the No’s have it

Councilwoman Chumney called for a roll call vote

AYES: Brown, Chumney, Cooper Taylor and Hooper
NAYS: Ford, Jones, Lowery, McCormick, Sammons, Ware, Taylor and Chairman
Marshall

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ADD-ONS

Brittenum did not cast a vote

FAILED, set up as Special Item #1